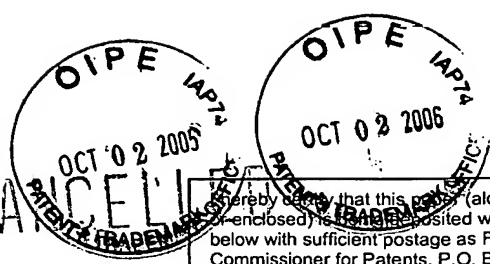


IPW



I hereby certify that this paper (along with any paper referred to as being attached  
enclosed) has been deposited with the U.S. Postal Service on the date shown  
below with sufficient postage as First Class Mail, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
Dated: September 29, 2006 Signature: (Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437  
CIPCIPCIPCIPCON XIV  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Errico et al.

Allowed: August 17, 2006

Application No.: 10/642,528

Confirmation No.: 3167

Filed: August 15, 2003

Art Unit: 3738

For: AXIALLY COMPRESSIBLE  
ARTIFICIAL INTERVERTEBRAL  
DISC HAVING LIMITED  
ROTATION USING A CAPTURED  
BALL AND SOCKET JOINT WITH  
A SOLID BALL AND  
COMPRESSION LOCKING POST

Examiner: B. E.  
Pellegrino

**AMENDMENT PURSUANT TO 37 CFR SECTION 1.312**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Official Communication mailed  
September 14, 2006, Applicants submit the following amendment  
and remarks.